

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

ERNESTINE RENCHER,)	
)	
Plaintiff,)	
)	
vs.)	Case No. 4:11CV1059 RWS
)	
LARRY WILLIAMS, as TREASURER OF)	
THE CITY OF ST. LOUIS, MISSOURI,)	
)	
Defendant.)	

MEMORANDUM AND ORDER

This matter is before me on defendant's motion to strike. On April 27, 2012, plaintiff filed a pro se document entitled "Amendment to Affidavit of Ernestine Rencher." Although she was subsequently granted leave to file her amended Rule 26 disclosures, she was never granted leave to file this document. To the extent this "Amended Affidavit" is really a backdoor attempt to amend her employment discrimination complaint to add RICO and antitrust claims, it is an improper method to do so.¹ Moreover, under the governing case management order, any motions to amend the complaint were to be filed by January 31, 2012. This amended affidavit was filed almost three months after the deadline, and plaintiff offers no justification for the extended delay. Plaintiff's proposed amendment would unduly prejudice defendant by injecting new claims into this case at the eleventh hour. Discovery is to be completed in eight days, and to add RICO and antitrust claims to this case could require extensive, new discovery and cause unnecessary delay

¹These allegations are completely unrelated to plaintiff's existing claims. Therefore, to the extent plaintiff filed this affidavit merely to "sling mud" at defendant and the individuals named in the affidavit, the Court is authorized to strike the affidavit on separate grounds. See Fed. R. Civ. P. 12(f) (permitting the Court to strike any impertinent, scandalous, or immaterial matter).

in the proceedings. For these reasons,

IT IS HEREBY ORDERED that defendant's motion to strike [#22] is granted, and plaintiff's "Amendment to the Affidavit of Ernestine Rencher" [#20] is stricken from the record.

A handwritten signature in black ink, appearing to read "Rodney W. Sippe", written over a horizontal line.

RODNEY W. SIPPEL
UNITED STATES DISTRICT JUDGE

Dated this 10th day of May, 2012.